



## MINUTES

### CMAQ Project Selection Committee

Thursday, February 19, 2015 2:00 p.m.  
CMAP Offices

**Committee Members Present:** Ross Patronsky, Chair (CMAP), Luann Hamilton (CDOT), Mark Pitstick (RTA), Mike Rogers (IEPA) – via phone, Jeffery Schielke (Council of Mayors) – via phone, Chris Schmidt (IDOT) Chris Snyder (Counties)

**Staff Present:** Patricia Berry, Teri Dixon, Kama Dobbs, Jesse Elam, Doug Ferguson, Tom Kotarac, Russell Pietrowiak, Joe Szabo

**Others Present:** Reggie Arkell, Jennifer Becker, Len Cannata, Bruce Christensen, John Donovan, Ashley Engelmann, Peter Fahrenwald, Laura Fedak (via phone), Dan Feltman, Terry Heffron, Andrew Letson, Brian Pigeon, Keith Privett, Tom Rickert, Paul Schneider, Brian Stepp, Souts Thavong, David Tomzik, Mike Walczak, Tom Weaver, Michael Weiser, Tim Wiberg

#### 1.0 Call to Order

Committee Chairman Patronsky called the meeting to order at 2:01 p.m.

#### 2.0 Agenda Changes and Announcements

Chairman Patronsky introduced two new CMAP staff: Tom Kotarac, Deputy Executive Director for Policy and Programming, and Joseph Szabo, Senior Fellow.

#### 3.0 Approval of Minutes – December 18, 2014

Mr. Tomzik noted that Tom Radak participated in the December meeting via phone. On a motion by Ms. Hamilton and a second by Mr. Pitstick, the minutes of the December 18, 2014 meeting were approved as corrected.

#### 4.0 Program Monitoring

##### 4.1 Transit Project Expenditures Update

Ms. Dixon reported that the memo summarizing transit agency and CDOT progress on expending funds obligated within FTA grants through December 31, 2014 was attached. She noted that approximately 37% of the obligated funds have been

expended and that 5 of 44 projects were not underway. She stated that staff is working with reporting agencies to enhance our reporting including showing the obligated funds as well as the unexpended balances. The goal of these enhancements is to provide the information needed to work with the agencies on ways to decrease the unexpended balances including suitable phasing of existing projects.

#### **4.2 Programming Project Status Sheets**

Ms. Dobbs reported that the recurring reports on the programming status of active and deferred projects and the line item changes since the last meeting of the Project Selection Committee were included in the meeting packet. She noted that line item specific notes were added to both reports, particularly on current year line items, to show the latest information staff has about the status of each line item, such as target letting dates, pending cost increases, and other milestones.

#### **4.3 Obligation Goal**

Ms. Dobbs reported that the Programming Summary and Obligation Goals table shows that the region has already authorized \$69.3 million, which is 43% of the FFY 2015 obligation goal. She confirmed, in response to a question from Mr. Snyder, that the \$69.3 million includes the \$29.4 million authorized for the Elgin-O'Hare project at Thorndale and I-290 sponsored by DuPage County. In response to questions from Mr. Snyder she explained that the currently programmed amount includes balances on active and reinstated deferred line items from past years, which is over \$30 million. In the CMAP TIP database, these balances remain programmed in those past years. She stated that the amount programmed in the CMAP TIP in the current year is the currently programmed amount shown, less the prior years' balances, plus the funds authorized this federal fiscal year. She noted that tracking within the CMAP TIP and tracking within FHWA's FMIS database differs slightly. The CMAP TIP is programmed by year, while FMIS is a current cumulative balance of all years and includes the funds available to the metro-east region in southwestern Illinois.

### **5.0 Active Program Management**

Ms. Dobbs reported that, as noted at previous meetings, the active program management policies have helped address the large unobligated balance in the region. The region is now at the point where consideration of priorities for funding cost changes, reinstatement of deferred project phases, and advancing projects from out years is appropriate. Staff has done some brainstorming and emailed PSC members some alternatives for possible ways of looking at priorities that need to be identified in order to keep projects moving forward and continue the successful utilization of funds. Staff has also identified some strategies for limiting cost increases. She stated the goal for today is to discuss ideas and to identify what priorities and strategies staff should explore further and assess the feasibility and financial impact of, as well as our ability to maintain a robust multi-year program, for discussion at future meetings.

Ms. Dobbs noted that, while it is possible to end all cost increases, deferral reinstatements, and advancing of projects from out years, staff is not recommending this option. The identification of a priority order for consideration of changes, regardless of any change limitation strategies, should be discussed, including the impacts of the priorities on the

current year, as well as on the future health of the CMAQ program. For example, if engineering phases are deemed a lower priority, the region could fall back into the pattern of not having projects ready to be implemented in out years, missing the opportunity for improving air quality and mobility in the region and causing the unobligated balance to climb back up to unacceptable levels. Anticipating that currently programmed FFY15 line items stay on track, strategies for moving forward are needed.

Potential strategies include: putting a cap on increases, limiting each phase to one increase request, and not considering increases after authorization of federal funds. The potential implementation of some of these strategies may be difficult and no analysis of the financial impact has occurred. Staff is looking for some guidance on what strategies are the most palatable and/or those that should not be considered at all, so that analysis of the potential impacts can be completed.

Mr. Snyder stated that strict rules could be a problem in leaner years. He asked if deferred projects are currently moving and if status updates for those projects were required and suggested that very old deferred projects should be reviewed. Ms. Dobbs stated that status updates for all deferred line items are currently required. Mr. Snyder stated that transit projects obligated within FTA grants don't ever get deferred. Mr. Patronskey noted that when a project misses a phase-specific milestone, unobligated funds are withdrawn from all subsequent phases. Those later phases can request reinstatement of funds when they are moving if funding is available at that time.

Ms. Hamilton stated that she prefers considering cost changes on a case by case basis, as that is the job of the committee, to consider requests "first come, first served." Mr. Privett suggested that for the upcoming May status updates, the target dates requested should be for the month and year, not just the target year, so that projects targeting fall lettings, for example, could be delayed a month without impacting the project's progress significantly.

Mr. Pitstick noted that if all requested changes were to be approved today, essentially all available funding for FFY 2015 and 2016 would be used. Mr. Privett noted that sometimes this depletion is resolved when status updates move phases out of the program year. Mr. Pitstick noted that several of the requests to be considered today are older projects, programmed prior to the phase 1 engineering requirement, when there was less knowledge about project scope and cost.

Mr. Snyder noted that reinstatement of deferred funds are completed administratively by staff and suggested that they should come to the committee for approval. Mr. Pitstick and Mr. Rickert agreed. Mr. Rickert added that the committee should support the deferred projects, which are presumably good projects that hit a hiccup in the implementation process. He also noted that if projects are not ever completed, federal funds used on early phases may have to be paid back. Mr. Privett stated that deferred phases may just have to wait and be let after the start of the next federal fiscal year.

Mr. Weaver stated that the committee will need to find a way to say no, because we won't always be able to say yes to everyone. He stated the original "yes" is the project ranking, although the way they are calculated, using original cost estimates that are not updated as costs change, keeping track of rankings over time is difficult. He stated in the end, the cost effective projects should move ahead using the rankings as a basis for selection.

Mr. Patronsky stated that transportation impact criteria and ranking are both recommended for consideration in the staff ideas sent via email. He stated that by and large the requests that come before the committee first are those that are the most ready.

Summarizing the discussion, Mr. Patronsky stated that reinstatement requests should come to the committee, very old deferred projects should be reviewed, requests should be considered meeting by meeting, and more frequent status updates should be considered.

Mr. Tomzik asked if there is any way to analyze increases by project type, schedule or other factors to predict potential increase requests. Mr. Patronsky stated we typically don't know about factors that drive costs up until after the fact. Ms. Dobbs added that an in-depth analysis would be a massive project. Mr. Snyder stated that GO TO 2040 emphasizes state of good repair projects. He also stated that there are rules of thumb for cost estimating, for example an intersection improvement costs about \$1 million, not \$500,000. Ms. Hamilton noted that IDOT used to review CMAQ cost estimates for reasonableness. Mr. Patronsky stated that due to work force issues, IDOT has not been able to do that analysis for the last few application cycles.

## **6.0 Project Changes**

Ms. Dobbs reported that thirteen projects have submitted scope, schedule, and/or cost change requests for committee consideration and five administrative modifications were completed by staff. With agreement of project sponsors, staff will withdraw obligation remainders in FFY 2015 for two projects that were authorized for less than they were programmed. This will preserve fiscal constraint of the TIP. Without the withdrawal of remainders, the approval of all changes would result in a shortage of \$5.6 million in the TIP. Fiscal constraint of the TIP is a federal requirement.

Ms. Dobbs then summarized the remainders. She explained that the authorized amount is based on the final engineer's estimate. The CMAQ funded Elgin-O'Hare Thorndale at I-290 project sponsored by DuPage County, which is programmed for \$34 million, was authorized at \$29.4 million. According to the remainder withdrawal policy adopted by the committee in 2012, the difference between the programmed funding and the authorized funding will be withdrawn, with a buffer of the greater of \$100,000 or 5% of the authorized amount remaining programmed. In this case the 5% buffer is \$1.4 million. With those withdrawals, staff is recommending that all changes be approved as requested, except CDOT's request to accelerate Phase 2 Engineering for the State/Lake station project (01-02-0030). Staff proposes splitting the requested \$4 million equally across both FFY 2015 and FFY 2016. Ms. Hamilton stated that the city's procurement department has agreed to this approach. Mr. Snyder requested a memo detailing the withdrawal of funds for the Elgin-O'Hare project. [This was subsequently sent to him via email.]

### **6.1 Aurora - Station Blvd Extension to IL 59 Commuter Parking Lot (TIP ID 09-14-0002)**

Ms. Dobbs described the sponsor's request for a scope change and cost increase of \$1.186 million for construction in FFY 2015. Mayor Schielke made a motion, seconded by Mr. Schmidt, to approve the requested scope and cost change. The motion carried.

### **6.2 IDOT – IL 59 at W. Bartlett Rd (TIP ID 03-12-0002)**

Ms. Dobbs described the sponsor's request for a cost increase of \$320,000 for construction in FFY 2015. Ms. Hamilton made a motion, seconded by Mr. Snyder, to approve the requested cost increase. The motion carried.

**6.3 CDOT – State/Lake Station (Loop Elevated) (TIP ID 01-02-0030)**

Ms. Dobbs described the sponsor's request to reprogram \$4 million for phase two engineering from FFY 2017 to FFY 2015. As discussed prior to the consideration of increases, staff recommends reprogramming \$2 million in each FFY 2015 and FFY 2016. Mr. Pitstick made a motion, seconded by Mayor Schielke, to reprogram \$2 million in FFY 2015 and \$2 million in FFY 2016. The motion carried.

**6.4 Lake County – Washington St. Bike Path (sidepath) (TIP ID 10-10-0002)**

Ms. Dobbs stated that the sponsor requested that their cost increase request be withdrawn from consideration due to problems with the two lowest bidders. Mr. Christensen stated that the County would re-submit their request when final costs were determined.

**6.5 Lake County DOT – US 12/Rand Road at Ela Road (TIP ID 10-02-0007)**

Ms. Dobbs reported that sponsorship of this project was administratively transferred from Lake Zurich to Lake County earlier this month. She described the County's request for a cost increase of \$95,000 for construction in FFY 2015. Mr. Snyder made a motion, seconded by Mayor Schielke, to approve the requested cost increase. The motion carried.

**6.6 IDOT – I-55 Bus on Shoulders Support (TIP ID 01-09-0034)**

Ms. Dobbs described the sponsor's request for a cost increase of \$128,000 to cover past over-authorizations and a cost increase of \$480,000 for an additional year of shoulder sweeping, to be authorized as an amendment to the FFY 2013 authorization. Mayor Schielke made a motion, seconded by Mr. Pitstick, to approve the requested cost increases. The motion carried.

**6.7 Homer Glen – Homer Glen community Trail – South Extension (TIP ID 12-12-0002)**

Ms. Dobbs described the sponsor's request for a cost increase of \$48,000 for phase 2 engineering to purchase wetland bank credits. In response to a question from Mr. Privett, Mr. Snyder explained that there are large wetland areas throughout the state that have been pre-approved by the Army Corps of Engineers for banking. Agencies can purchase land in these banks at \$150,000 per acre to off-set impacts to wetlands from transportation projects. Mr. Snyder made a motion, seconded by Mr. Schmidt, to approve the requested cost increase. The motion carried.

**6.8 Kane County – Kirk Road at Douglas Road (TIP ID 09-08-0002)**

Ms. Dobbs described the sponsor's request for a cost increase of \$151,590 for construction in FFY 2014. Mayor Schielke made a motion, seconded by Mr. Schmidt, to approve the requested cost increase. The motion carried.

**6.9 DuPage County DOT – 55th St/CH 35 from Dunham Rd to Clarendon Hills Rd and 55th St at Main St (TIP ID 08-12-0004)**

Ms. Dobbs described the sponsor's request for \$130,000 for phase 2 engineering in FFY 2015, \$297,000 for ROW in FFY 2015, and \$1.3 million for Construction in FFY 2016. Ms.

Hamilton made a motion, seconded by Mr. Schmidt, to approve the requested cost increase. The motion carried.

**6.10 DuPage County DOT - Fabyan Parkway/Washington St., @ IL Route 83 (Roosevelt Road) (TIP ID 08-12-0006)**

Ms. Dobbs described the sponsor's request for \$54,000 for construction in FFY 2015. Mr. Pitstick made a motion, seconded by Ms. Hamilton, to approve the requested cost increase. The motion carried.

**6.11 Lincolnwood - Touhy Av Overpass (Skokie Valley Bike Trail) (TIP ID 02-12-0003)**

Ms. Dobbs described the sponsor's request for a cost increase of \$17,000 for phase 1 engineering in FFY 2014, \$143,000 for phase 2 engineering in FFY 2015, and \$1,932,000 for construction in FFY 2016. She noted that phase 2 and construction are currently deferred. Mr. Snyder noted, and Ms. Dobbs agreed, that the deferred funds should not be included in the summary table until the sponsor seeks reinstatement. Ms. Hamilton stated that the City of Chicago supports the project for its connections to several other regional trails from Chicago, through the Forest Preserve District, Lincolnwood and Skokie to Lake Cook Rd. Mr. Christensen added that Lake and Cook counties are working on crossing Lake Cook Road. Mr. Pitstick asked why the cost of the project had increased so dramatically. Mr. Paul Schneider of Stanley Consultants explained that there was extensive public involvement in phase 1 and that the original application was based on a single span 100-foot bridge. The current alternative is for a three-span 190-foot bridge. The ROW is abandoned railroad right of way, owned by ComEd, adjacent to ComEd transmission lines. Due to the proximity of the transmission lines, the design of the bridge approaches is restricted to mechanically stabilized earth (MSE) walls, which are the largest part of the cost estimate. He added that a wetland has also been discovered in the approach area. In response to a question from Mr. Tomzik, Mr. Schneider confirmed that there would be access to the overpass from both directions on Touhy. Ms. Hamilton made a motion, seconded by Mayor Schielke, to approve the requested cost increases. The motion carried.

**6.12 Park Forest - Bicycle Lanes and Way-Finding Signs on Lakewood Blv, Indianwood Blv, Orchard Dr and Blackhawk Dr (TIP ID 07-14-0009)**

Ms. Dobbs described the sponsor's request for a scope change and cost increase of \$8,586 for construction in FFY 2015. Mr. Schmidt made a motion, seconded by Mr. Rogers, to approve the requested cost increase. The motion carried.

**6.13 Kane County DOT – Fabyan Parkway at Kaneville Rd. (TIP ID 09-12-0006)**

Ms. Dobbs described the sponsor's request to reprogram \$1,083,000 for construction from FFY 2016 to FFY 2015. Mr. Snyder made a motion, seconded by Mr. Schmidt, to approve the requested schedule change. The motion carried.

**6.14 Administrative Modifications**

Ms. Dobbs reported that staff completed five administrative modifications, as described in the CMAQ Project Change Requests memo.

**7.0 FFY 2016-2020 CMAQ/FFY 2015-2016 TAP Program Development**

Mr. Ferguson reminded the committee that applications are due March 3. In response to a question from Mr. Privett, Mr. Ferguson stated that the programming marks of \$260

million for CMAQ and \$16 million for TAP have remained consistent since the call was issued. In response to a question from Mr. Snyder, Mr. Ferguson stated that the intent is to backfill the FFY 2016 to 2018 program, and add a full program for FFY 2019 and 2020.

## **8.0 MAP-21**

Mr. Donovan reported that rule making on safety and pavement and bridge condition is ongoing. He also reported that OMB issued a Super Circular (2 CFR 200) effective December 26, 2014 that makes changes to federal grant administration for all federal funds, not just transportation. The circular requires that a Period of Performance be established for all federal projects, which sets an end date beyond which expenses incurred are not eligible for reimbursement. He stated that conditional language has been included in all contract awards since the effective date.

FHWA and IDOT have agreed to temporary criteria that establish suitable end dates. These criteria are effective through July, when they will be reviewed and adjusted if needed. For projects estimated to cost less than \$1 million, the period of performance for construction will be 5 years, for projects estimated to cost over \$1 million, it will be 7 years. Design and preliminary engineering will be 10 years and ROW will be 15 years. He noted that the average close-out for projects over \$1 million is 7.2 years, which is longer than the proposed maximum. Different states are approaching the requirement differently and FHWA will eventually take action to concur with each state's approach.

Mr. Donovan continued that FHWA and IDOT have been working to advance inactive projects, and that advance construction has no effect on the provisions of the Super Circular.

He noted that additional information will continue to be reported.

## **9.0 Other Business**

Mr. Patrosky reported that on December 12, 2014, the US EPA released, for a 90 day public comment period, a proposal to update the air quality standard for ground-level ozone from the current 75 ppb to 65-70 ppb. He stated, and Mr. Rogers confirmed, that at 65 ppb, a few additional areas, including Bloomington, Peoria, and Effingham, would likely be designated as non-attainment. At 70 ppm, Chicago and East St. Louis are likely to remain as the only non-attainment areas. Designations based on the proposed standard would likely be issued in December of 2017, based on 2014-2016 data.

Mr. Patrosky reported that in early December, the US EPA released PM designations, effective in March 2015, and the entire state of Illinois is "unclassifiable" due to problems with data integrity. He added that typically within one year of the designations, old standards are revoked. The "unclassifiable" designation means that the region is not in non-attainment of the new standard. Mr. Rogers stated that officially that places the region in attainment. Ms. Hamilton asked what that means for the PM<sub>2.5</sub> 25% set-aside. Mr. Patrosky stated that since the old standard will not be revoked for a year, the set-aside still needs to be considered in the current project selection cycle. In response to a question from Mr. Snyder, Mr. Donovan stated that there has been no federal guidance on the project types that directly reduce PM<sub>2.5</sub> emissions. However, IDOT is working on a list of projects CMAP has programmed and ensuring that the proper federal fund code is used for the authorizations on those projects. Mr. Patrosky added that CMAP has a lot of

direct emissions projects programmed. He stated that a more comprehensive ability to evaluate PM<sub>2.5</sub> reductions for all project types should be available this programming cycle, owing to the improved handling of PM<sub>2.5</sub> in the MOVES emissions model.

**10.0 Public Comment**

None.

**11.0 Next Meeting**

The committee's next meeting is scheduled for March 26, 2015 at 2:00 p.m.

**12.0 Adjournment**

On a motion by Mr. Snyder, and a second by Ms. Hamilton, the meeting adjourned at 3:28 p.m.